Pri rity Appln. Serial No. 10/039,384 Prelim. Amdmnt filed 02/09/2004

<u>REMARKS</u>

This Preliminary Amendment accompanies a request for a continuation

application of U.S. Patent Application Serial No. 10/039,384. Examination of the

claims in this Preliminary Amendment is requested. Claims 1-28, as filed in the

parent application, have been cancelled. New claim 29 has been added. Thus,

claim 1 remains in this continuation application for consideration.

Attached hereto for the convenience of the Examiner is a courtesy copy

of the Letter Submitting Formal Drawings and drawings as filed concurrently

herewith. These drawings were submitted and approved in the parent

application.

CONCLUSION

Applicant respectfully submits that the application is in condition for

allowance and that action is respectfully requested. If the Examiner's next

anticipated action is to be anything other than a Notice of Allowance, the

undersigned respectfully requests a telephone interview before issuance of any

such subsequent action.

Respectfully submitted,

Dated: 2

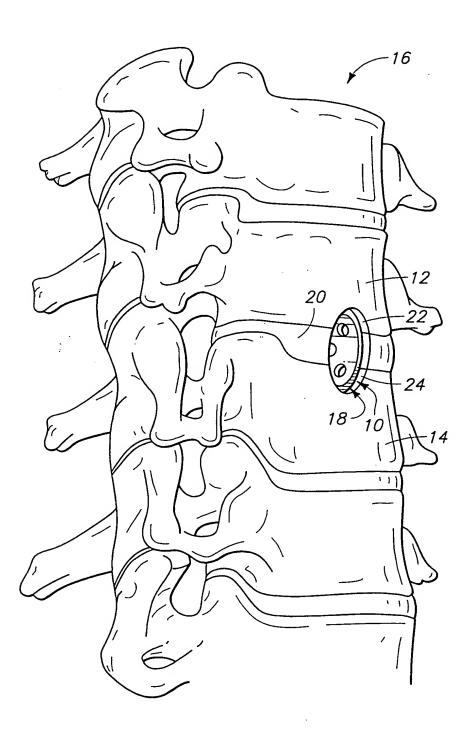
Keith D. Grzelek

Reg. No. 37,144

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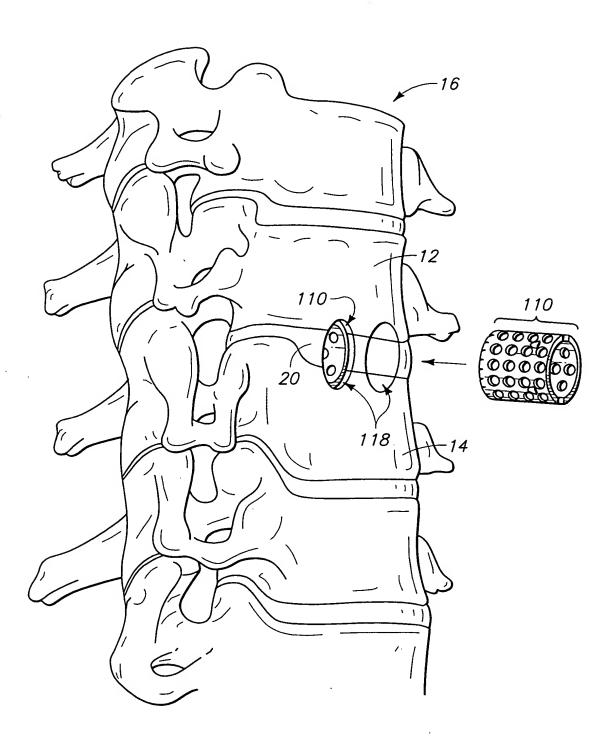
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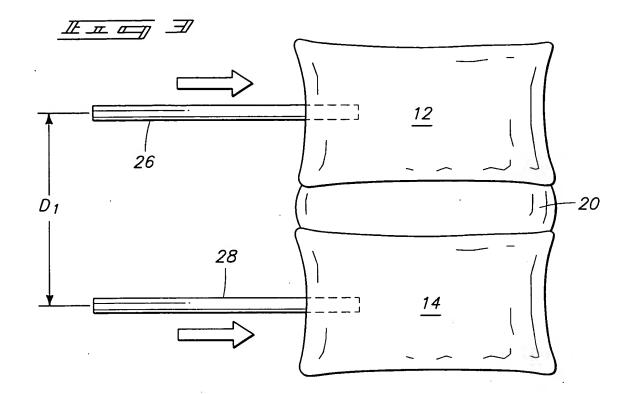


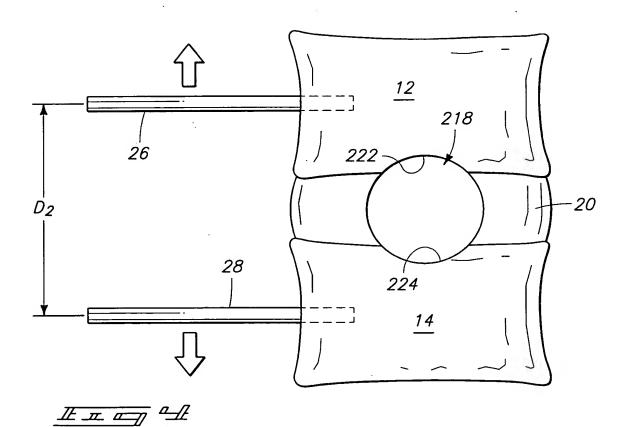
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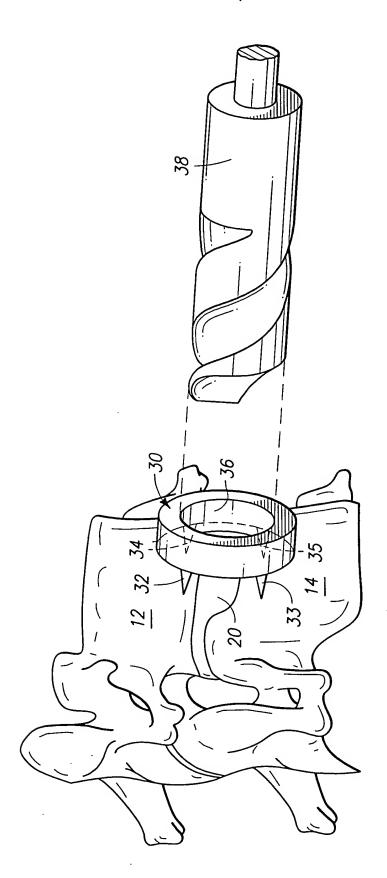




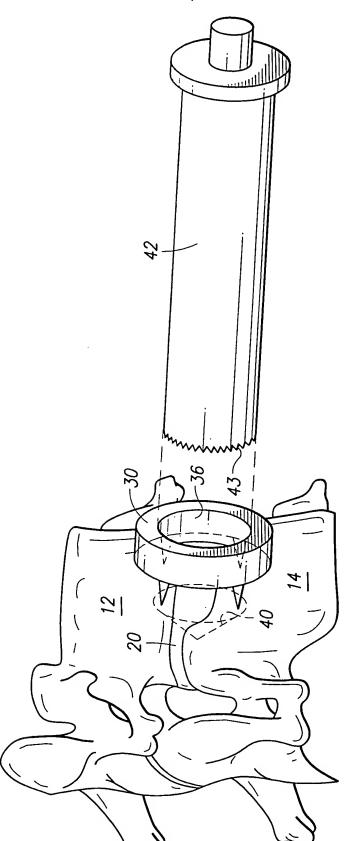


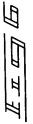
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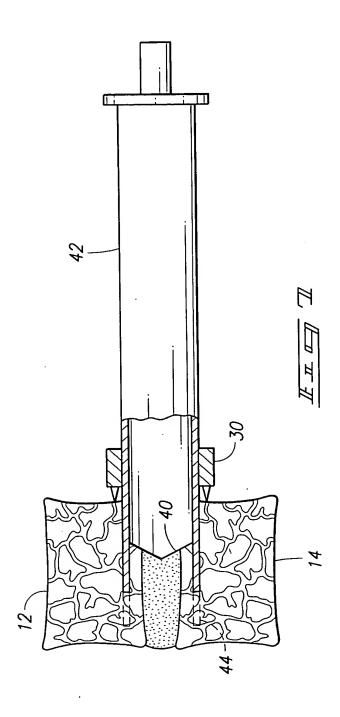
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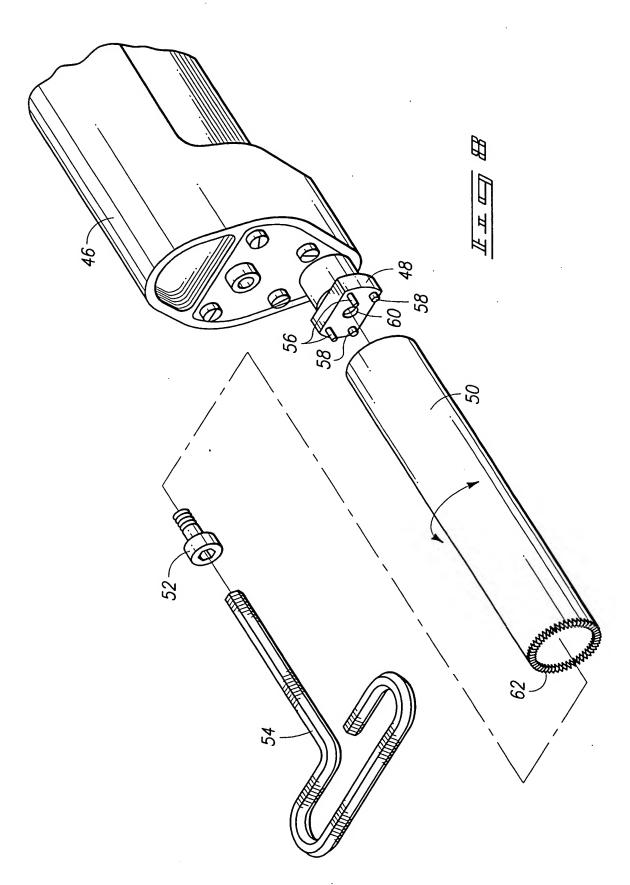
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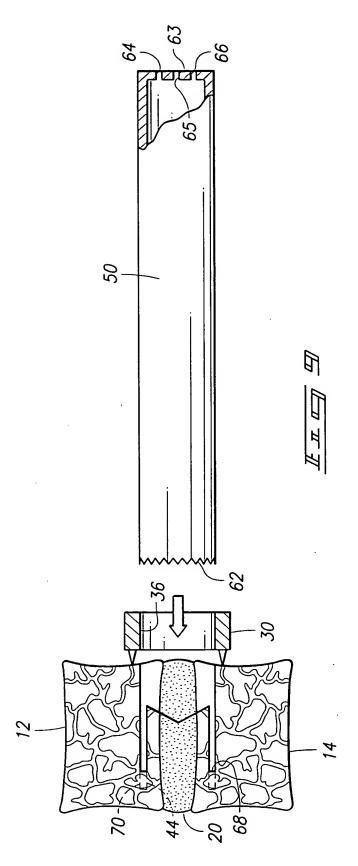




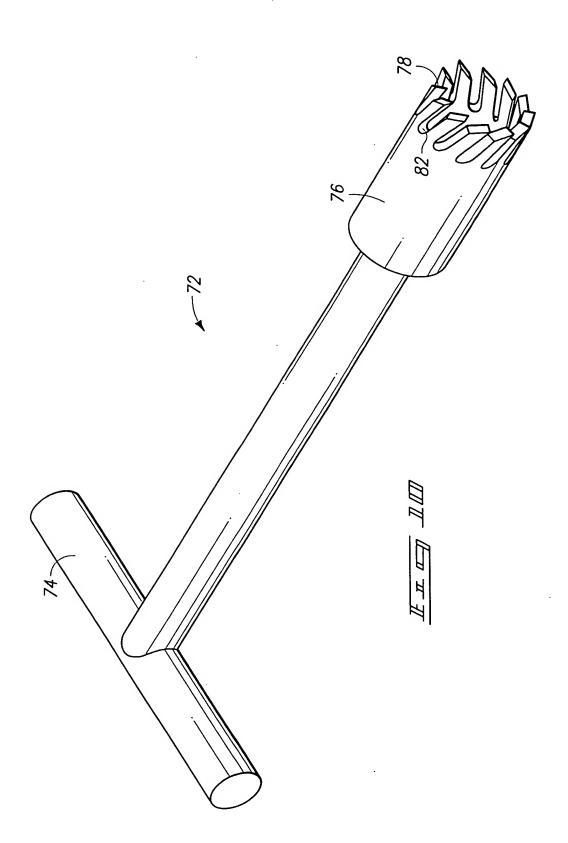


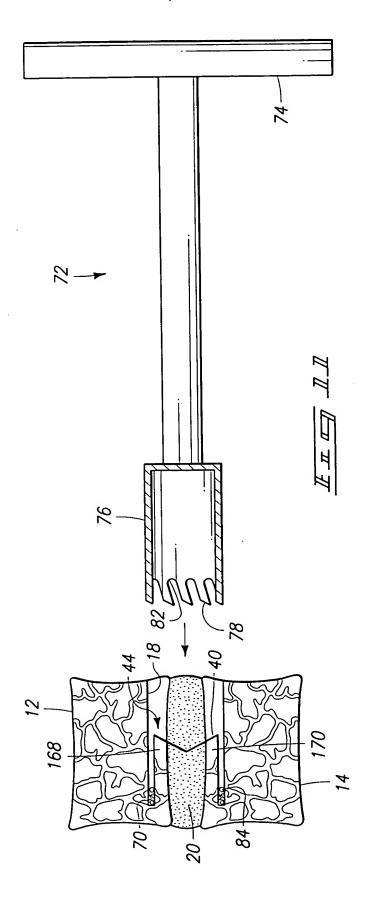
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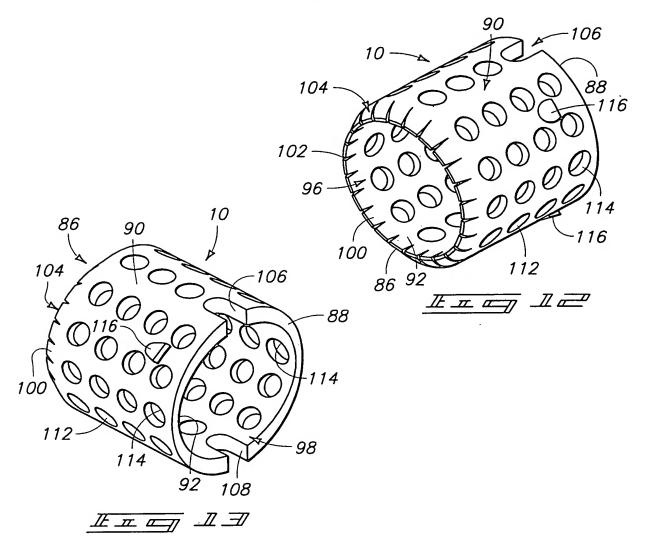


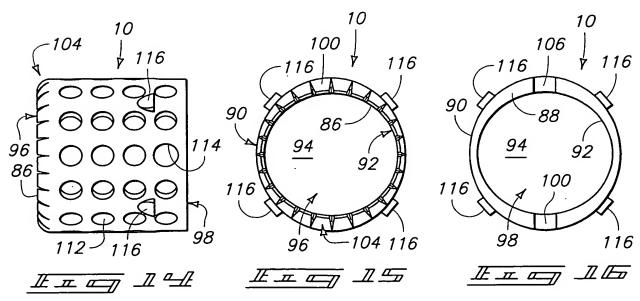
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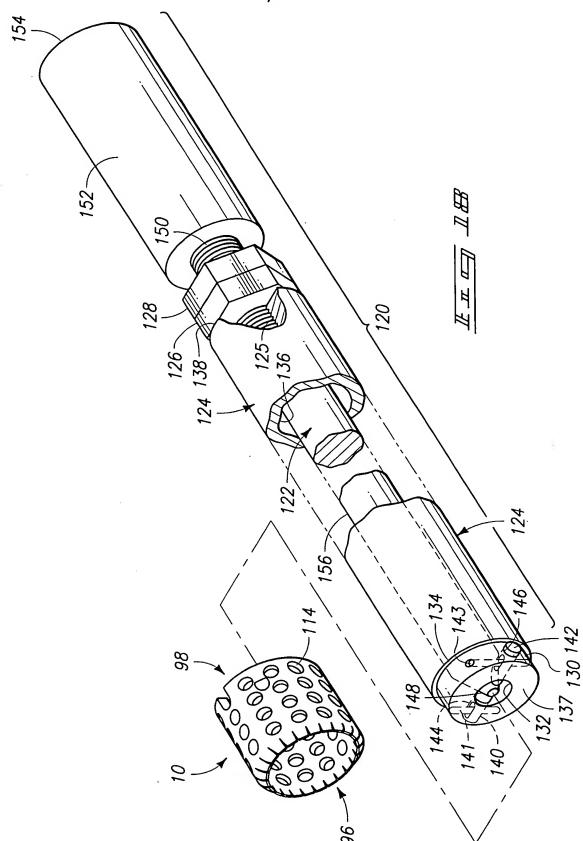


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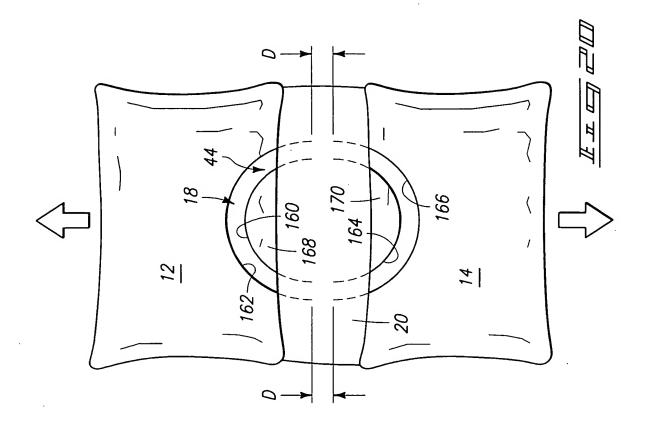


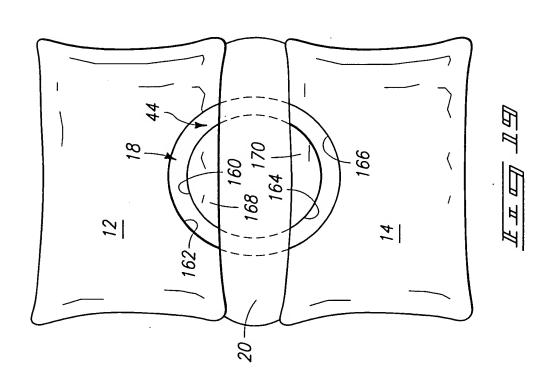


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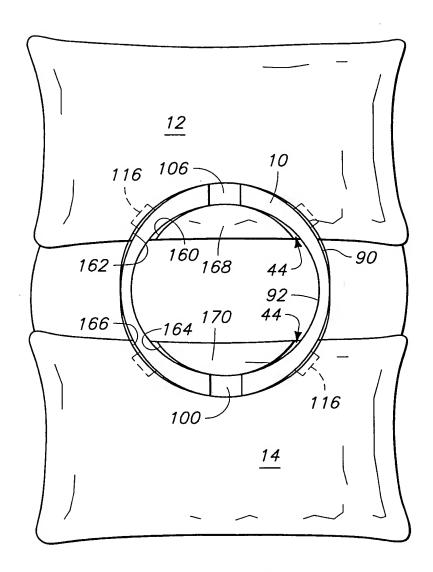


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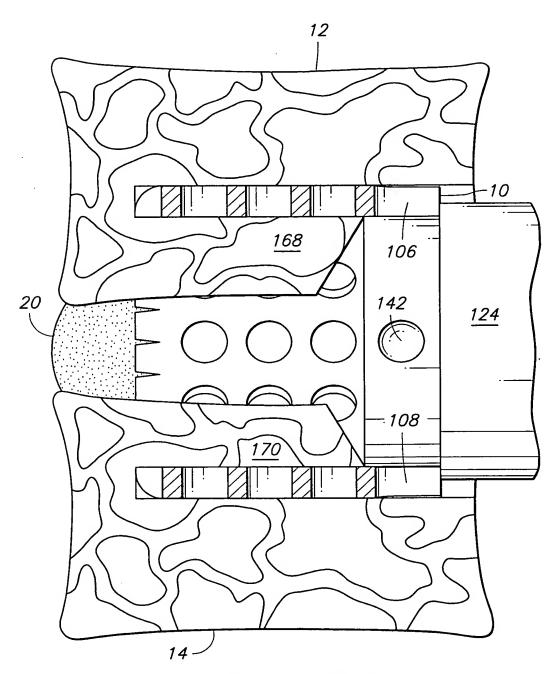




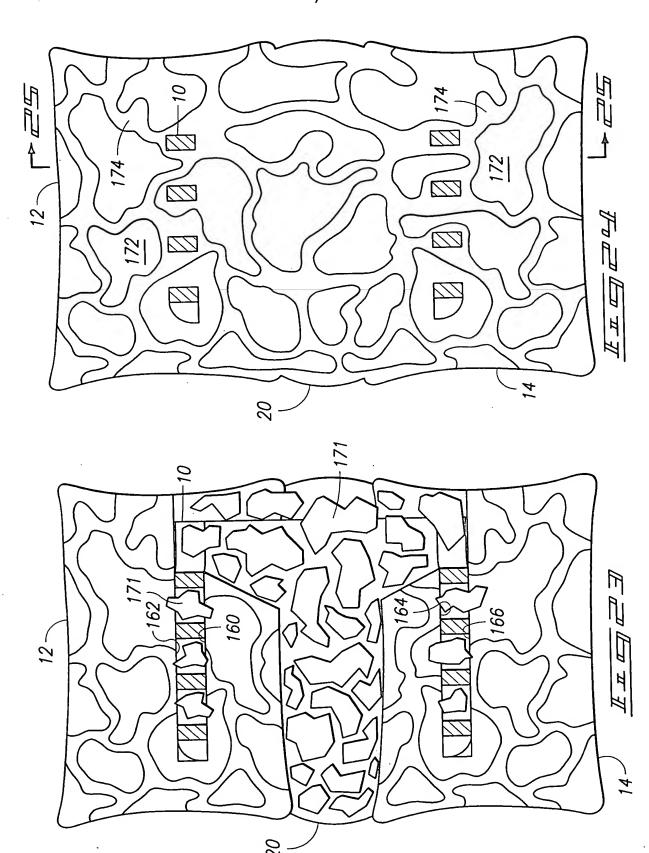
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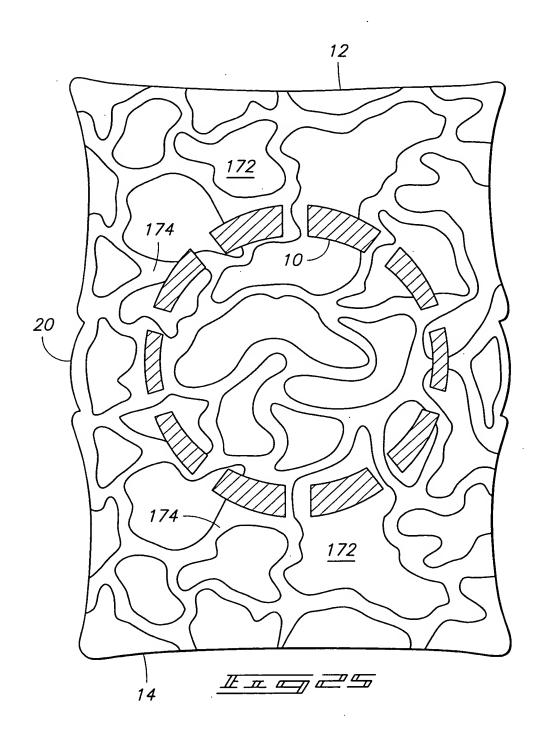
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Serial No. 09/179,920
Docket No. BA56-001
Inventor: George W. Bagby
Title: "Spinal Fusion Device, Bone Joining Implant..."
Atty: Keith D. Grzelak 509-624-4276

